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LANCASTER COUNTY  
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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

COUNTY TEXT AMENDMENT NO. 13011:     )  
TEXT AMENDMENT TO THE LANCASTER     )  
COUNTY LAND SUBDIVISION RESOLUTION, ) RESOLUTION NO. R-13-0070  
TO AMEND CHAPTER 8 AND SECTIONS 3.13   )  
AND 3.20, AS PROVIDED IN ATTACHMENT A )

WHEREAS, pursuant to Neb. Rev. Stat. § 23-114 (Reissue 2012), the Lancaster County Board of Commissioners is authorized to make amendments to the 1979 Zoning Resolution of Lancaster County and the Lancaster County Land Subdivision Resolution, which are consistent with the County's Comprehensive Plan and after receipt of specific recommendations from the Lincoln/Lancaster County Planning Commission ("Planning Commission"); and

WHEREAS, the Director of Planning has requested a text amendment to the Lancaster County Land Subdivision Resolution by amending Chapter 8, Sections 8.02 and 8.05, and by amending Chapter 3, Section 3.13 "Department Reports on Final Plats" and removing Section 3.20 "Final Plat Amendments," as provided in Attachment "A," attached hereto and incorporated by this reference; and

WHEREAS, the Lincoln-Lancaster County Planning Department has recommended approval of this amendment concluding that adoption of these amendments will reduce the review period for final plats, remove the process for final plat amendment, allow lienholder signatures to be obtained on standard sheets of paper, and remove requirements for information presented with a final plat when such information is already required in other parts of the code; and

WHEREAS, on October 30, 2013, after public hearing, the Lincoln-Lancaster County Planning Commission agreed with the staff recommendation and voted 8 to 0 to recommend approval of said text amendments; and

WHEREAS, on December 3, 2013, the Board of Commissioners of Lancaster County conducted a public hearing regarding said text amendment and voted to approve said amendments.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Lancaster County, Nebraska that the amendments to Chapter 8, Sections 8.02 and 8.05 and Chapter 3, Sections 3.13 and 3.20 of the Lancaster County Land Subdivision Resolution, as provided in Attachment "A," are hereby adopted and approved.

BE, IT FURTHER RESOLVED, that any other references in said Resolution which may be affected by the above specified amendments be, and they hereby are, amended to conform to such specific amendments.

DATED this 10th day of December, 2013, in the County-City Building, Lincoln, Lancaster County, Nebraska.

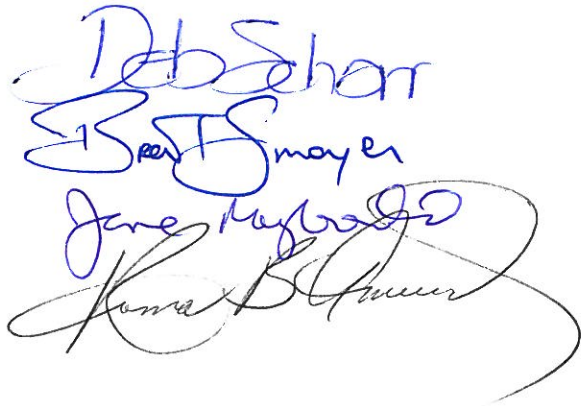
BY THE BOARD OF COUNTY  
COMMISSIONERS OF  
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 10<sup>th</sup> day of  
December, 2013.



Deputy County Attorney  
for JOE KELLY  
Lancaster County Attorney

Hudkins Absent



ATTACHMENT "A"

**Sec. 3.13. DEPARTMENT REPORTS ON FINAL PLAT.**

(a) The Planning Director shall distribute copies of the final plat and other accompanying data to other county departments and governmental agencies who are directly concerned with the proposed subdivision.

(b) Each department or governmental agency which is directly concerned with the proposed subdivision shall, within ten days from receipt of a copy of the final plat, file with the Planning Director its approval of said plat or a report indicating in what manner such final plat does not conform to the requirements of this resolution and all other rules, regulations, and standards adopted pursuant to this resolution over which such department has administrative responsibility.

c) Within fifteen ten days from receipt of all of the above reports, the Planning Director shall notify the subdivider in writing of the recommended approval, conditional approval or disapproval of the final plat based upon a review of the recommendations of the various departments and the Director's own review of the design of the subdivision. If the Director finds that the final plat should be conditionally approved, the notification shall set forth all conditions of approval. The Planning Director shall also furnish the subdivider a subdivision agreement to be executed by the subdivider and the County Board wherein the subdivider agrees to comply with all conditions of approval and further agrees to construct the required improvements as provided therein. (November 8, 2005, Resolution No. R-05-0142)

**Sec. 3.20. FINAL PLAT AMENDMENTS.** ~~After a final plat has been approved, the Planning Director is authorized to approve amendments to the plat if:~~

~~\_\_\_\_\_ (a) A request for amendment is filed with the Planning Director, accompanied by a survey, if appropriate;~~

~~\_\_\_\_\_ (b) There is no increase in the number of lots;~~

~~\_\_\_\_\_ (c) No public land will be accepted as a result of the amendment, except as may be incidental to the adjustment of lot lines and/ or right of way lines;~~

~~\_\_\_\_\_ (d) The amendment is consistent with the purposes of this chapter;~~

~~\_\_\_\_\_ (e) The amended plat is filed in the Office of the Register of Deeds of Lancaster County, Nebraska, and the recording fees have been paid in advance by the subdivider and submitted to the Planning Director. (November 8, 2005, Resolution No. R-05-0142; September 1, 2006, Resolution No. R-06-0071)~~

**Sec. 8.02. FORM OF THE FINAL PLAT.**

(a) The size of each sheet of said final plat shall be sixteen by twenty-two (16 X 22 ) inches, except that lien holder consent and subordination signature blocks and acknowledgement may be on separate 8 ½" by 11" sheets. All lots and, wherever practicable, blocks in their entirety, shall be shown on one sheet. (Feb. 20, 2002, Resolution No. 02-23)

(b) Said final plat shall be accurately, clearly, and legibly drawn in black waterproof India ink or photographed upon tracing cloth or clear mylar which is a minimum of three thousandths (.003) of an inch thick, 24 lb. white paper, or its equivalent. Affidavits, certificates, and acknowledgements shall be legibly lettered or printed upon the final plat with opaque ink. Signatures shall be in opaque ink. (Resolution No. R-08-0009, February 19, 2008; Resolution No. R-08-0094, November 4, 2008).

(c) A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of at least one-half inch.

(d) The final plat shall be drawn to one of the following scales only: 1 inch equals 20 feet, 1 inch equals 30 feet, 1 inch equals 40 feet, 1 inch equals 50 ft., 1 inch equals 60 feet, or 1 inch equals 100 feet or any other scale proposed by the subdivider with the approval of the Planning Director. The scale selected shall be sufficient to show all required information clearly, and enough sheets shall be used to accomplish this end. (Resolution #4942, December 8, 1992).

(e) If more than one sheet is used, the particular number of the sheet and the total number of sheets comprising the final plat shall be stated on each of the sheets; and the relationship to each adjoining sheet shall be clearly shown. If more than two sheets are used, an index sheet the same size as required above shall be included showing, at whatever scale is necessary, the entire subdivision with an indication by the use of dotted lines of the component areas which are shown on the other sheets.

(f) The boundary of the subdivision shall be clearly identified on the final plat. All lines shown on the final plat which do not constitute a part of the subdivision itself shall be clearly distinguishable from those lines which are a part of the subdivision, and any area enclosed by such lines shall be labeled, "not a part of this subdivision."

**Sec. 8.05. ADDITIONAL INFORMATION REQUIRED.** Accompanying the final plat submittal, the following information shall be submitted:

(a) a statement from the subdivider indicating:

(1) Any interest the subdivider has in the land surrounding the final plat and the nature of such interest.

~~(2) All requests to be submitted to the Board for special use permits, changes of zone, and vacations which are required to complete the development.~~

(3) The name, telephone number, mailing address of the subdivider, record owner, and any other person the subdivider may want informed of the final plat process, and any person who has the authorization to act on behalf of the subdivider.

~~(b) Street profiles that show existing ground surface elevations based on a current field survey, the grades, and the lengths of all vertical curves of the streets within the final plat which are to be dedicated to the public. The grades shall be in accordance with the minimum standards of the Board.~~